

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

<b>HOSPITAL MENONITA DE GUAYAMA, INC.</b>  <b>and</b>  <b>UNIDAD LABORAL DE ENFERMERAS(OS)Y EMPLEADOS DE LA SALUD</b>	Cases No: 12-CA-214830, 12-CA-214908, 12-CA-215040, 12-CA-215039, 12-CA-215665, 12-CA-217862, 12-CA-218260, 12-CA-221108
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**RESPONDENT'S REPLY BRIEF TO CHARGING PARTY'S ANSWERING  
BRIEF TO RESPONDENT'S EXCEPTIONS**

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Charging party's Opposition to Respondent's Exceptions have certain factual misstatements that the Respondent's must clarify:

1. There is no allegation in the Complaint that Respondent did not provide the information requested related to the gift or royalty paid in November, 2017. To the contrary, all information requested was provided.
2. The Union had not requested bargaining over terms and conditions of employments prior to the withdrawal of recognition of the technician unit.
3. There is no evidence presented during trial that the Union requested bargaining during the month of October, 2017. The meetings were held at the request of the Union, once it became aware that the Hospital or Respondent had recognized the Union (October 12, 2017). In said meetings the parties discussed and bargain matters concerning the twelve-hour shift for Register Nurses.
4. In its Answering Brief the Charging Party bases its theory in inferences and not in any document or testimony presented in evidence during trial. Therefore, said inferences should be disregarded.

The Charging party also request in its answering brief that back paid be granted to all units employees who used uniforms during the period from September 12, 2017 to May 7, 2018. The Charging party's request is without any basis and as stated in our prior briefs any allegation concerning the modification of benefits by Respondent when it took over the Hospital operations was addressed by the Region and said charge was dismissed on January 31, 2018 (Jt. Exh. 22). Nor was said allegation included in the complaint.

WHEREFORE, it is respectfully requested that the Administrative Law Judge decision be overturned and the findings against Respondent of the commissions of unfair labor practices be dismissed in their entirety.

Respectfully submitted on October 21<sup>st</sup>, 2019.

**CERTIFICATE OF SERVICE**

I certify that on this same date this document was filed before the National Labor Relations Board, through the NLRB's electronic filing system and was served by electronic mail on the Union's legal representative, Harold Hopkins, at his electronic mail address: [snikpohh@yahoo.com](mailto:snikpohh@yahoo.com) and to Counsel for General Counsel, Celeste Hilerio Echevarría at her email address [chilerio@nlrb.gov](mailto:chilerio@nlrb.gov) ; and Isis M. Ramos-Meléndez; [Isis.Ramos-Melendez@nlrb.gov](mailto:Isis.Ramos-Melendez@nlrb.gov)

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